ENCOURAGING PROHIBITION ACTIVITY IN NEW JERSEY

By

THE PROHIBITION ADMINISTRATOR; UNCLE SAM'S LEGAL AGENT; FEDERAL JUDGE WILLIAM CLARK; PROSECUTOR DREWEN, OF HUDSON COUNTY

WILLIAM J. CALHOUN, NEWLY APPOINTED PROHIBITION ADMINISTRATOR FOR NEW JERSEY

Mr. Calhoun has made an excellent impression and comes with an admirable record.

He is undertaking a difficult work. The State of New Jersey has suffered gravely from the repeated re-organizations and changes in administration in this department. No large enterprise can have its head shifted on an average of once a year and not suffer seriously as a result. However, we are satisfied that the administrator's office in New Jersey has never been so well organized as it is now. Many who have proven themselves ineffective, or worse, have been weeded out. Mr. Calhoun is experienced. He has the confidence of his superiors. He has a quiet, determined manner which would seem to argue well for his success.

We sincerely hope and believe that there will be less of political interference with Mr. Calhoun's activities than has fallen to the portion of any of his predecessors for, as Mrs. Willebrandt so strikingly emphasized, political interference has been the curse of the whole prohibition enforcement work of the government. We wish Mr. Calhoun abundant success and believe that he will work hard to obtain it.

The newspapers tried hard to create some friction by twisting and enlarging a chance remark by our National Superintendent, Dr. F. Scott Mc-Bride, made on a recent visit to New Jersey. Something to the effect that the administration in Washington was in earnest in its determination to get proper respect for and enforcement of the law; that New Jersey was one of the hard States and was so recognized but that the government would go forward in every State, and the law would be increasingly observed, since where one man failed another would succeed.

This remark of Dr. McBride was made to apply specifically to Mr. Calhoun and was played up in headlines for several days as if it were a threat by Dr. McBride to Mr. Calhoun. The reporters even went to the extent of interviewing Dr. Doran, National Prohibition Administrator, Assistant Secretary of the Treasury Lowman, in charge of the prohibition unit, and Mr. Calhoun himself, everywhere trying to foment trouble. But "the tempest in a teapot" quickly subsided and Mr. Calhoun calmly kept the even tenor of his way.

We trust and believe the future will have a good story to record regarding the work of Mr. Calhoun and his able assistants. Here is a mighty good beginning, as reported in the Newark "Evening News" of September 30:

"The report for the month, the first report of the unit under Mr. Calhoun, included seizure of thirty-one stills, twelve vehicles, three ale plants, four wildcat breweries and three freight cars with a total of 55,000 gallons of alcohol, 51,000 gallons of beer and ale and 210,000 gallons of mash which, figured on a ten per cent basis, would have yielded 21,000 additional gallons of alcohol. Eighty-one persons were arrested."

"UNCLE SAM'S LEGAL AGENT IN NEW JERSEY IS ONLY 34"

The Newark "Sunday Call" of September 22, under the above heading, had an interesting article concerning Phillip Forman, Esq., the United States District Attorney for the District of New Jersey.

It states that Mr. Forman, who is rounding out his first year in his important office, was admitted to the bar in 1917, after graduating from the Temple University Law School in Philadelphia. It also refers to his World War service in the Navy and his activity in the American Legion ever since it was founded. In 1923-24 he was State Department Commander for New Jersey and he is a major in the judge advocate general's department of the New Jersey National Guard, besides being a member of the Officers' Reserve Corps.

All of this is simply the preliminary to our calling attention to the fine record which Mr. Forman and his staff are making in the padlock cases.

In our last number of the "Issue" we called attention to the fact that there was no vacation being taken by the padlock court, which sat at least once in two weeks all through the Summer, and disposed of very many cases, especially emphasizing cases at the shore, Atlantic City for instance. Some very well-known resorts were dealt with and ordered padlocked, not being allowed to run through the Summer and then being brought up after the season was over, as has been the usual practice.

John Grimshaw, Esq., of Paterson, who has been in charge of the padlock cases since Harlan Besson, Esq., became First Assistant Prosecutor of Hudson County, has been dealing very vigorously with these cases and in the last two weeks over two hundred cases have been disposed of, in nearly

every instance resulting in padlocks.

Even more encouraging, if anything, than this record is the fact that two prohibition agents have been regularly assigned and at work for several

months past checking up on the places that have been ordered padlocked or are on the list for immediate action by the court, and the court has announced that it means to deal summarily in contempt proceedings against places that have been ordered padlocked and then have merely shifted to some other part of the building or in some other nearby place.

The results of all this will certainly make themselves apparent and the three branches of the government concerned, namely: the court, the district attorney's office and the prohibition department all deserve the appreciation of the friends of law and order for the splendid work now being done. If this pace is maintained very rapid progress is assured.

The following schedule of criminal cases, sixty per cent of which were prohibition cases, indicates the progress made in Mr. Forman's first year, as compared with the preceding year, and that with no larger staff.

CRIMINAL CASES

	1928	1929
Number of criminal prosecutions pending close of		
June 30	1039	1029
Number of criminal prosecutions commenced	762	1041
Number of criminal prosecutions terminated	628	1051
Number of convictions	438	797
Number of acquittals	18	13
Aggregate amount of fines\$	43,091.10	\$115,031.00

JUDGE CLARK IN ACTION

United States District Court Judge William Clark has been presiding in padlock cases at Trenton during the new term beginning in September.

On September 20 Judge Clark disposed of the calendar, containing fifty cases, in thirty-four minutes. On September 27 he disposed of the two calendars, one of a hundred cases, prepared by the United States District Attorney's office, and the other of fifty-seven cases, prepared by the office of Prosecutor Drewen of Hudson County. Court opened at 10:30 and by 1:30 these one hundred and fifty-seven cases had been dealt with. In the great majority of cases the attorneys consented to the entry of a final decree. In a few cases, for reason shown, there were adjournments, but in no case was there any more than a very brief hearing.

Judge Clark had requested that all cases ready for a hearing be put on the calendar, and at the close of the call of the calendar on the 27th he asked Mr. Grimshaw, the Assistant United States District Attorney, who so ably is handling the cases, if this constituted all the injunction matters that were ready for a hearing, and on receiving an affirmative answer the Judge called attention to the fact that there was "no congestion, on the padlock side, in the office of the United States District Attorney for the District of New Jersey." Literally hundreds of cases have been disposed of since the time when the courts usually would have adjourned for summer vacation.

Judge Clark furthermore announced that he wanted it thoroughly understood that he meant to deal promptly and effectively with those who violated the injunction order of the court, either by selling after they had been ordered to close up, or by shifting the bar from one part of the building to another, and also that he meant to impose jail sentences where the facts warranted.

He thanked the members of the bar for their cooperation in expediting cases, where there was no real defense to be made on behalf of their clients, by consenting to the entering of the decree for padlocking the places.

In a number of instances the probationary decree was ordered, sometimes in connection with a bond and sometimes without bond, but in any event giving the right to prohibition agents to inspect, without a search warrant, and if on such inspection the decree of the court was found to be violated, on sworn statement of the agents, the probation would be terminated and the place would be padlocked and those responsible for the violation would be dealt with for contempt of court. The Judge especially requested the prohibition administrator's office to keep a careful check on all these places and report any delinquencies discovered. All of which is extremely wholesome and, if followed up, will be of very great significance.

PROSECUTOR DREWEN, OF HUDSON COUNTY, AT WORK

Hudson County, as we before have noted, is setting the pace for the prosecutors of the State. He, alone, of them all is availing himself of the right to bring padlock proceedings in the Federal Court. Over a hundred places in Jersey City, Hoboken, Bayonne or Union City have already gone down under the assault of his effective Assistant Prosecutor Irving Eisenberg, who presents the cases, and several hundred more actions are under

way.
THIS IS SOMETHING NEW FOR HUDSON COUNTY. IT SPELLS PROGRESS.